



★ VIRGINIA ★  
DEPARTMENT *of* ELECTIONS

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# **Candidate Bulletin**

**June 12, 2018  
Primary Elections**

**November 6, 2018  
General and Special Elections**

**US Senate**

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## I General Disclaimer

Candidates are responsible for complying with all current applicable local, state, and federal laws and regulations.

This Candidate Bulletin provides an overview of Virginia electoral requirements only. It does not purport to provide legal advice or binding statements of official policy. Rather, the Candidate Bulletins describe election laws found in the Code of Virginia. Applicable laws and regulations are subject to change in content and interpretation.

Candidates for federal offices are also required to abide by federal campaign laws. Federal law imposes various rules and regulations on candidates and committees. These regulations are published by the Federal Election Commission (FEC). Please contact the [FEC](#) for guidance documents and more information: 800-424-9530, 999 E St., NW, Washington, DC 20463.

Candidates for US Senate should also contact the [US Senate Select Committee on Ethics](#) regarding public financial disclosure reporting requirements; 202-224-2981, 220 Hart Bldg., United States Senate, Washington, DC 20510.

## 2 Qualifications To Be A Candidate

A candidate must meet each of the following requirements<sup>1</sup>:

1. 30 years old.
2. A US citizen for nine years.
3. A resident<sup>2</sup> of the Commonwealth when elected.

## 3 Required Filings

Candidates must file certain items in order to qualify to appear on the ballot. Each item is described below along with an explanation of who is required to file.

### 3.1 Certificate of Candidate Qualification

Form: [SBE-501](#); Va. Code §§ [24.2-501](#) and [24.2-503](#)

All candidates are required to file this form to certify under oath that they meet the qualifications set out in the Code of Virginia. Candidates for US Senate must file this form with the Department of Elections (the Department).

IMPORTANT:

- Candidates are set up in the Virginia Election and Registration System (VERIS) using this form. The candidate information provided on the Department's website is pulled directly from VERIS. To avoid

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<sup>1</sup> US Const., Art. 1, sec. 3

<sup>2</sup> See Va. Code § [24.2-101](#), definition of "residence" and VA Administrative Code [1 VAC 20-40-20](#) and [1 VAC 20-40-30](#).

delays in candidate set up and incomplete/incorrect information being posted to the website, please confirm that you have completed the form correctly and in its entirety before filing.

- You must provide a ballot name that complies with the ballot standards listed on the back of the form.
- All contact information you provide on the form will be posted on the Department's website.

### 3.2 Primary Filing Fee

Va. Code §§ [24.2-523](#) and [24.2-524](#)

Primary election candidates are required to pay a filing fee. Primary candidates for US Senate must pay the fee to the Department. The fee must be paid prior to filing the Declaration of Candidacy and the receipt for payment must be submitted with the Declaration.

- If compensation for the office sought is paid in whole or in part by fees, the candidate's primary filing fee will be fixed by the proper committee of the respective parties.
- If no salary or fee is attached to the office sought, the candidate's primary filing fee will be \$5.00.
- For all other candidates, the primary filing fee is 2% of the minimum annual salary in effect for the office sought in the year in which the candidate files.

The primary filing fee will be refunded to unopposed and disqualified candidates. The fee will also be refunded to a withdrawing candidate, but only if the candidate's written withdrawal notice is received before the party chairman files the party's Certification of Qualified Primary Candidates form.

Candidates who are nominated by a political party by a method other than a primary election may be required to pay a filing fee as well. This fee is determined by the rules of the political party. Contact your district chairman for details.

### 3.3 Declaration of Candidacy

Form: [SBE-505/520](#); Va. Code §§ [24.2-505](#), [24.2-507](#), [24.2-520](#), and [24.2-522](#)

This form is a required filing for independent (non-party) candidates and primary election candidates and must be filed with the Department.<sup>3</sup> This form must be filed with the Petition of Qualified Voters and the Primary filing fee receipt.<sup>4</sup> Party candidates nominated by a non-primary method are not required to submit a declaration of candidacy unless required by their party to do so.

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<sup>3</sup> Va. Code § [24.2-505](#).

<sup>4</sup> Va. Code § [24.2-522](#).

### 3.4 Petitions of Qualified Voters

Form: [SBE-506/521](#); Va. Code §§ [24.2-506](#), [24.2-507](#), [24.2-521](#), and [24.2-522](#); Va. Administrative Code [1VAC20-50-20](#) and [1 VAC20-50-30](#)

**IMPORTANT:** The petition is a two-sided form (one page, front and back), and comes in two sizes: legal and letter. The petition's pages on which signatures are obtained must be printed two-sided (one page, front and back) to be considered valid.

Any petition that is printed on two separate pieces of paper or copied front and back from two separate pieces of paper will be rendered invalid and none of its signatures will be counted.

Independent (non-party) candidates and primary election candidates are required to file these forms. Candidates for US Senate must file petitions with the Department.

**A candidate for US Senate must collect at least 10,000 signatures of qualified voters, including the signatures of at least 400 qualified voters from each congressional district in the Commonwealth.** Please review the State Board of Election's regulations regarding material omissions from qualified voters on petitions (Va. Administrative Code [1 VAC20-50-20](#)) before circulating petitions.

General election candidates may begin circulating petitions for signatures on Tuesday, January 2, 2018. Any signatures obtained before this date will be rendered invalid and not counted. General election candidates may file completed petitions between January 2, 2018 and 7:00 pm, Tuesday, June 12, 2018.

Special election candidates may begin circulating petitions for signatures when the writ or order calling the election is issued, unless specified differently in the writ or order. Any signatures obtained before this date will be rendered invalid and not counted. Special election candidates may file completed petitions between January 2, 2018 and 5:00 pm, Friday, August 17, 2018, unless specified differently in the writ or order.

Primary election candidates may begin circulating petitions for signatures on Tuesday, January 2, 2018. Any signatures obtained before this date will be rendered invalid and not counted. Primary election candidates may not begin filing completed petition pages until 12:00 pm on Monday, March 12, 2018. All petition pages must be filed by 5:00 pm on Thursday, March 29, 2018. Before filing the petitions, primary election candidates must put them in one or more sealed containers and attach to the outside of each container a written statement under oath by the candidate giving their name and the number of signatures on the petitions contained within.<sup>5</sup>

Candidates do not have to wait until they have obtained the required number of signatures to file completed petition pages. Candidates may make multiple filings. The candidate's Declaration of Candidacy form must be filed with the first filed petition pages. Primary election candidates must also file their Primary Filing Fee Receipt with the first filed petition pages.

A candidate, other than a party nominee, may appeal a determination by the Department that the candidate's petitions do not contain the minimum number of signatures of qualified voters for the office sought. Candidates have five days from the issuance of the disqualification notice to file their appeal with the determining body.

Appeals are conducted by the determining body in accordance with regulations set forth by the State Board of Elections. Consideration on appeal is "limited to whether or not the signatures on the petitions that were filed were reasonably rejected according to the requirements of [Title 24.2 of the Code of Virginia and regulations for petitions set forth by the State Board of Elections]. The candidate bears the burden of proof in establishing that

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<sup>5</sup> Va. Code § [24.2-522\(C\)](#).

a sufficient number of signatures from qualified voters were timely provided.” All appeals are final and not subject to further appeal.

### 3.5 Party Certification

Form: [SBE-511](#); Va. Code §§ [24.2-510](#) and [24.2-511](#)

Party chairs are required to file the “Certification of Candidate Nominated by a Political Party” form for candidates nominated by a non-primary method. It is submitted in place of the Declaration of Candidacy and Petition of Qualified Voters. Party Certification for US Senate must be filed with the Department.

## 4 How to File, What to File, Where to File, and By When

### 4.1 How to File

- In-Person: Washington Bldg., 1100 Bank St., 1st Fl., Richmond, VA 23219
- Mail: Dept. of Elections, Attn: Candidate Filings, 1100 Bank St., 1st Fl., Richmond, VA 23219
- Fax: 804-371-0194; Attn: Candidate Filings
- Email: [EA@Elections.Virginia.gov](mailto:EA@Elections.Virginia.gov); Subject: Candidate Filings for [name], [office sought]
- ❖ Forms with social security numbers may not be emailed due to containing confidential information. Any form with a social security number submitted through email will not be accepted.
- ❖ Original completed petitions must be submitted. Petitions submitted through fax or email will not be accepted. Copies of signatures will be rendered invalid and not counted.

The Certificate of Candidate Qualification may be considered timely filed if mailed postage prepaid to the appropriate location by registered or certified mail. The mailing receipt must be made available for review upon request to show the document was mailed by the deadline. All other forms must be received by the deadline to be considered timely filed.

### 4.2 For a Party Candidate Participating In a Primary Held June 12, 2018

Required Forms (can be found <a href="#">here</a> )	Where to File	Filing Deadline
Certificate of Candidate Qualification (SBE-501)	Department of Elections	Thursday, March 29, 2018; 5:00 pm
Primary Filing Fee		
Declaration of Candidacy (SBE-505/520)	Department of Elections (Petitions must be mailed or submitted in person.)	Thursday, March 29, 2018; 5:00 pm  Filing Start Date: Monday, March 12, 2018; 12:00 pm
Petitions of Qualified Voters (SBE-506/521)		
Primary Filing Fee Receipt		

### 4.3 For a Party Candidate Nominated by a Method Other Than a Primary

Required Forms (can be found <a href="#">here</a> )	Where to File	Filing Deadlines	
		General Election	Special Election <sup>6</sup>
Certificate of Candidate Qualification (SBE-501)	Department of Elections	Tuesday, June 12, 2018; 7:00 pm	<ul style="list-style-type: none"> <li>• 1<sup>st</sup> November election after vacancy: Friday, August 17, 2018; 5:00 pm</li> <li>• 2<sup>nd</sup> November election after vacancy: Tuesday, June 12, 2018; 7:00 pm</li> </ul>
Party Certification (SBE-511)		Monday, June 18, 2018; 5:00 pm  Filing Start Date: Thursday, April 26, 2018	<ul style="list-style-type: none"> <li>• 1<sup>st</sup> November election after vacancy: Friday, August 17, 2018; 5:00 pm</li> <li>• 2<sup>nd</sup> November election after vacancy: Tuesday, June 18, 2018; 5:00 pm</li> </ul>

### 4.4 For an Independent (Non-Party) Candidate

Required Forms (can be found <a href="#">here</a> )	Where to File	Filing Deadlines	
		General Election	Special Election <sup>7</sup>
Certificate of Candidate Qualification (SBE-501)	Department of Elections	Tuesday, June 12, 2018; 7:00 pm	<ul style="list-style-type: none"> <li>• 1<sup>st</sup> November election after vacancy: Friday, August 17, 2018; 5:00 pm</li> <li>• 2<sup>nd</sup> November election after vacancy: Tuesday, June 12, 2018; 7:00 pm</li> </ul>
Declaration of Candidacy (SBE-505/520)			
Petitions of Qualified Voters (SBE-506/521)			

## 5 Notice of Withdrawal of Candidates

Form: [ELECT-612.2](#); Va. Code § [24.2-612.2](#)

A candidate who has qualified to have his name printed on the ballot for an election shall not be deemed to have withdrawn from such election until a Candidate Withdrawal Form has been filed with the general registrar in the candidate's locality of residence. The recipient general registrar should notify the Department. Contact information for general registrars can be found on the [Local Voter Registration Office](#) search page on the Department's website.

<sup>6</sup> Unless writ or order specifies otherwise.

<sup>7</sup> Unless writ or order specifies otherwise.



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## 6 Election Calendar – June 2018 Primary and November 2018 General and Special Election

Election Type; Date	Deadlines for Filing		
	Candidate Declarations/Petitions	Other Candidate Forms	Party Chairs Certify Candidates
Primary June 12 § 24.2-515	March 12; 12:00 pm through March 29; 5:00 pm § 24.2-522	March 29; 5:00 pm § 24.2-503	April 3 § 24.2-527
General November 6 § 24.2-101	Non-Party Candidates June 12; 7:00 pm § 24.2-507	All Candidates June 12; 7:00 pm § 24.2-503	June 18 § 24.2-511(B)
Special November 6 § 24.2-682	Non-Party Candidates <ul style="list-style-type: none"> <li>• 1<sup>st</sup> November election after vacancy: Friday, August 17; 5:00 pm</li> <li>• 2<sup>nd</sup> November election after vacancy: Tuesday, June 12; 7:00 pm</li> </ul> § 24.2-507	All Candidates <ul style="list-style-type: none"> <li>• 1<sup>st</sup> November election after vacancy: Friday, August 17; 5:00 pm</li> <li>• 2<sup>nd</sup> November election after vacancy: Tuesday, June 12; 7:00 pm</li> </ul> § 24.2-503	<ul style="list-style-type: none"> <li>• 1<sup>st</sup> November election after vacancy: Friday, August 17; 5:00 pm</li> <li>• 2<sup>nd</sup> November election after vacancy: Tuesday, June 18; 5:00 pm</li> </ul> § 24.2-511(B)
<ul style="list-style-type: none"> <li>• During any election, the polls are required to open at 6:00 a.m. and close at 7:00 pm (§ 24.2-603)</li> <li>• Party chairs must notify the Department of Elections of adoption of direct primary. Notifications must be filed between February 7 and February 27. (§ 24.2-516)</li> <li>• General election party nominations must be made between April 26, 2018 and June 12, 2018; 7:00 pm (§ 24.2-510)</li> </ul>			